

REMARKS:

- 1) Referring to item 10) of the Office Action Summary, please indicate the acceptance of the Drawings filed on August 19, 2003.
- 2) The specification has been amended editorially to correct a few typographical errors, to improve the use of idiomatic English grammar, and to clarify a few text passages of the original text, which was essentially a literal translation of a corresponding foreign text. These editorial amendments do not introduce any new matter. Entry of the amendments is requested.
- 3) The claims have been amended editorially. Also, claim 1 has been amended to make clear that the operating member releases a locked condition in the open state of the baby carriage by moving the open-state locking member to an unlocked position, and that the stopper, in its first position, prohibits movement of the open-state locking member to the unlocked position. In other words, in its first position, the stopper blocks the unlocking movement of the open-state locking member to its unlocked position. This feature of the invention is supported in the original disclosure (see page 5 lines 5 to 14, page 6 lines 1 to 6, and Figs. 2, 4, and 5). Thus, the amendment does not introduce any new matter. Clarifications regarding the arrangement of the stopper in this regard have been made in claims 4 and 5. Entry of the amendments is requested.

- 4) Referring to the top of page 2 of the Office Action, the rejection of claims 1 to 5 as indefinite has been addressed in the present amendment. The erroneous term "operating means" has been changed to "operating member" which has antecedent basis at line 4 of claim 1. Please withdraw the rejection.
- 5) Referring to pages 2 to 3 of the Office Action, the rejection of claims 1 to 3 as anticipated by US Patent 4,819,958 (Perego) is respectfully traversed.
- 6) Present independent claim 1 is directed to a foldable baby carriage having the following special features.

An open-state locking member selectively locks an (unfolded) open state of the baby carriage. An operating member releases the locked condition in the open-state of the baby carriage by moving the locking member to an unlocked position to allow the baby carriage to be folded. A stopper selectively prevents or blocks the unlocking movement of the locking member to its unlocked position. More particularly, the stopper is operationally separate from the operating member and is moveable between first and second positions. In its first position, the stopper directly contacts the locking member and thereby prohibits movement of the locking member to the unlocked position thereof. In its second position, the stopper is separate from the locking member and thereby allows movement of the locking member to the unlocked position thereof.

With the above mentioned features, the invention provides a safety arrangement in which a locked condition of the open

state of the baby carriage cannot be unintentionally released when a person accidentally operates the operating member. Namely, the stopper prohibits the movement of the locking member to the unlocked position. Thus, the locking member cannot be moved to its unlocked position (so as to allow folding of the baby carriage), unless the stopper is first moved from its first position to its second position. Thereby, the stopper is moved away from or separated from the locking member to allow movement of the locking member to the unlocked position thereof, so as to allow the baby carriage to be folded.

It is thus most significant according to the invention, that the stopper (10), in its first position (see present Fig. 4), blocks or prohibits movement of the locking member (4) to an unlocked position thereof (upward toward the right in Fig. 4), so that the locking member is positively held in place to maintain the locked condition. In order to release the locked condition and fold the baby carriage, the user must first purposely move the stopper (10) from its first position (Fig. 4) to its second position (Fig. 5) in an intentional separate operation, and then must operate the operating member (6,5) in order to release the locked condition by moving the locking member from its locked position to its unlocked position.

- 7) Contrary to the present invention, Perego does not disclose any element corresponding to a stopper that prohibits movement of a locking member to its unlocked position so as to release the locked condition and enable a folding or closing of the baby carriage.

Perego discloses a folding pushchair having an operating member (grip 155) connected by a tie-rod (156) to an open-state locking member (slider 135, hook 133) that selectively engages a pin (134) to lock an open-state of the pushchair. The operating member or grip (155) releases the locked condition by moving the locking member (slider 135 with hook 133) to its unlocked position in which it is disengaged from the pin (134) so that the pushchair can be folded.

In this regard, the locked position of the locking member (slider 135 with hook 133) is shown in Figs. 1 and 2, while the unlocked position of the locking member (slider 135 with hook 133) is shown in Figs. 3 and 4. The operation of the operating member (grip 155) to move the locking member (135, 133) to its unlocked position, i.e. the transition from Figs. 1 and 2 to Figs. 3 and 4, is described at col. 2, lines 24 to 34 and 51 to 66. Note that there is nothing that blocks or prohibits the movement of the locking member (135, 133) from its locked position to its unlocked position.

Perego further discloses a flexible or elastic yieldable tongue (158) that blocks or prevents movement of the locking member (135, 133) from its unlocked position (Fig. 4) back to its locked position (Fig. 2). That is exactly opposite from the present invention. Namely, the flexible tongue (158) does not block or prohibit movement of the locking member (135, 133) to its unlocked position (Fig. 4) as required by present claim 1, but rather prohibits movement of the locking member (135, 133) back to its locked position (Fig. 2) after it has been pulled by the operating member (grip 155) to its unlocked position.

Namely, the flexible tongue (158) purposely maintains the locking member (135, 133) in its UNLOCKED position (Fig. 4), in order to give the user a chance thereafter to also unlock the similar locking arrangement (but without the flexible tongue) on the other side of the push chair. The chair can only be folded after both locking arrangements (on both sides of the chair) have been intentionally unlocked. See the description in the last four lines of the abstract; col. 1, lines 44 to 48; col. 2, line 51 to col. 3, line 3; and col. 3 lines 19 to 26 and 41 to 46.

There is nothing in the Perego arrangement that blocks or prohibits movement of the locking member (135, 133) to its unlocked position (movement from Fig. 2 to Fig. 4). The flexible tongue (158) simply slides along an inclined wall (161) while permitting the movement of the locking member (135, 133) toward the unlocked position, until the tongue (158) then holds the locking member in its unlocked position (Fig. 4) by engaging the tooth (160). See col. 2 lines 57 to 66.

The Examiner has asserted that reference number 134 corresponds to the "stopper". However, actually, reference number 134 refers to the pin (134) that is engaged by the hook (133) of the slider (135) to provide the locked condition. This pin (134) does not prohibit movement of the locking member (135, 133) to its unlocked position. Thus, the pin (134) does not correspond to the presently claimed stopper.

On the other hand, the flexible tongue (158), as discussed above, is essentially the opposite of the presently claimed stopper, because it prohibits movement of the locking member to its locked position rather than its unlocked position.

- 8) For the above reasons, the invention of present claim 1 and its dependent claims is not anticipated (and would not have been made obvious) by Perego, and the Examiner is respectfully requested to withdraw the rejection of claims 1 to 3.
- 9) Referring to the bottom of page 4 of the Office Action, the indication of allowable subject matter in original claims 4 and 5 is appreciated. For the above reasons, independent claim 1 already defines allowable subject matter, so that the claims 4 and 5 are maintained in dependent form.
- 10) The additional prior art made of record requires no particular comments because it has not been applied against the claims.
- 11) Favorable reconsideration and allowance of the application, including all present claims 1 to 5, are respectfully requested.

Respectfully submitted,
Kenzou KASSAI et al.
Applicant

WFF:he/4564

By Walter F. Fasse
Walter F. Fasse
Patent Attorney
Reg. No.: 36132
Tel. 207-862-4671
Fax. 207-862-4681
P. O. Box 726
Hampden, ME 04444-0726

CERTIFICATE OF FAX TRANSMISSION:

I hereby certify that this correspondence with all indicated enclosures is being transmitted by telefax to (571) 273-8300 on the date indicated below, and is addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Walter F. Fasse 8/17/05
Name: Walter F. Fasse - Date: August 17, 2005